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JUN 03 2004

**Withrow & Terranova**Professional Limited Liability CompanyAttorneys At LawRegistered Patent Attorneys*A High Technology Patent Practice*

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner T. Maust	Steve Terranova
COMPANY:	DATE:
USPTO	6/3/2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
703-872-9306	14
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	2500-016B
RE:	YOUR REFERENCE NUMBER:
Information Disclosure Statements	10/672,496

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ ORIGINAL TO FOLLOW

## NOTES/COMMENTS:

Dear Examiner Maust,

Per our conversation, please find the enclosed the Information Disclosure Statements per discussion. Both were filed on June 2, 2004 one electronically and the other via mail.

Please let me know if you have any questions whatsoever.

Sincerely,

Steve Terranova

NOTE: The information contained in this transmission is privileged and confidential and intended ONLY for the individual or entity named above. If you should receive this transmission in error, please notify our office and return to the below address via the U.S. Postal Service.

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## Acknowledgement Receipt

Page 1 of 2

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ACKNOWLEDGEMENT RECEIPT

JUN 03 2004

Electronic Version 1.1

Stylesheet Version v1.1.1

<b>Title of Invention</b>	FUELING SYSTEM VAPOR AND CONTAINMENT PERFORMANCE MON AND METHOD OF OPERATION THEREOF																									
<b>Submission Type:</b>	Information Disclosure Statement																									
<b>Application Number:</b>	10/672496	*10/672																								
<b>EFS ID:</b>	61883																									
<b>Server Response:</b>	<table border="1"> <thead> <tr> <th>Confirmation Code</th> <th>Message</th> </tr> </thead> <tbody> <tr> <td>ISVR1</td> <td>Submission was successfully submitted - Even if Informational or Warning Messages appear below, ple. do not resubmit this application</td> </tr> <tr> <td>ICON1</td> <td>3523</td> </tr> <tr> <td>ISYS5</td> <td>Filename= N/A BusinessRule= Validation System/Fun Call Information. #Supporting Msg:Server unable to va the Confirmaton/Application numbers at this time. Th will be checked by PTO personnel later.</td> </tr> </tbody> </table>		Confirmation Code	Message	ISVR1	Submission was successfully submitted - Even if Informational or Warning Messages appear below, ple. do not resubmit this application	ICON1	3523	ISYS5	Filename= N/A BusinessRule= Validation System/Fun Call Information. #Supporting Msg:Server unable to va the Confirmaton/Application numbers at this time. Th will be checked by PTO personnel later.																
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ISYS5	Filename= N/A BusinessRule= Validation System/Fun Call Information. #Supporting Msg:Server unable to va the Confirmaton/Application numbers at this time. Th will be checked by PTO personnel later.																									
<b>First Named Applicant:</b>	ROBERT HART																									
<b>Attorney Docket Number:</b>	2500-016B																									
<b>Timestamp:</b>	2004-06-02 15:04:42 EDT																									
<b>From:</b>	us																									
<b>File Listing:</b>	<table border="1"> <thead> <tr> <th>Doc. Name</th> <th>File Name</th> <th>Size (By</th> </tr> </thead> <tbody> <tr> <td>us-fee-sheet</td> <td>2500-016Bids-usfees.xml</td> <td></td> </tr> <tr> <td>us-fee-sheet</td> <td>us-fee-sheet.xml</td> <td></td> </tr> <tr> <td>us-fee-sheet</td> <td>us-fee-sheet.dtd</td> <td></td> </tr> <tr> <td>us-ids</td> <td>2500-016Bids-usidst.xml</td> <td></td> </tr> <tr> <td>us-ids</td> <td>us-ids.dtd</td> <td></td> </tr> <tr> <td>us-ids</td> <td>us-ids.xml</td> <td></td> </tr> <tr> <td>package-data</td> <td>2500-016Bids-pkda.xml</td> <td></td> </tr> </tbody> </table>		Doc. Name	File Name	Size (By	us-fee-sheet	2500-016Bids-usfees.xml		us-fee-sheet	us-fee-sheet.xml		us-fee-sheet	us-fee-sheet.dtd		us-ids	2500-016Bids-usidst.xml		us-ids	us-ids.dtd		us-ids	us-ids.xml		package-data	2500-016Bids-pkda.xml	
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Name: Attorneys,ou=Patent and Trademark

Office,ou=Department of Commerce,o=U.S.

Government,c=US

## Information Disclosure Statement

Page 1 of 6

**ELECTRONIC INFORMATION DISCLOSURE STATEMENT**

Electronic Version v18

Stylesheet Version v18.0

<b>Title of Invention</b>	<b>FUELING SYSTEM VAPOR AND CONTAINMENT PERFORMANCE MONITOR AND METHOD OF OPERATION THEREOF</b>
Application Number:	10/672496 *10/672496*
Confirmation Number:	3523
First Named Applicant:	ROBERT HART
Attorney Docket Number:	2500-0168
Art Unit:	3751
Examiner:	TIMOTHY MAUST
Search string:	( RE35238 or 3735634 or 4147096 or 4166485 or 4508127 or 4543819 or 4566504 or 4570686 or 4611729 or 4653334 or 4687033 or 4749009 or 4827987 or 4842027 or 4871450 or 4938251 or 4967809 or 4986445 or 5013434 or 5027499 or 5040077 or 5040576 or 5040577 or 5116759 or 5129433 or 5143258 or 5156199 or 5165379 or 5195564 or 5203384 or 5240045 or 5244022 or 5267470 or 5269353 or 5323817 or 5332011 or 5333654 or 5333655 or 5355915 or 5365985 or 5386812 or 5450883 or 5452621 or 5460054 or 5464466 or 5500369 or 5542458 or 5563339 or 5563341 or 5568828 or 5571310 or 5590697 or 5592979 or 5625156 or 5626649 or 5663492 or 5671785 or 5720325 or 5752411 or 5755854 or 5780245 or 5782275 or 5794667 or 5803136 or 5832967 or 5843212 or 5850857 or 5857500 or 5868175 or 5878790 or 5889202 or 5898108 or 5911248 or 5913343 or 5942980 or 5944067 or 5956259 or 5988232 or 5992395 or 6026866 or 6037184 or 6038922 or 6047745 or 6065507 or 6070453 or 6082415 or 6102085 or 6103532 or 6123118 or 6131621 or 6151955 or 6167747 or 6167923 or 6167923 or 6169938 or 6223789 or

## Information Disclosure Statement

Page 2 of 6

6244310 or 6247508 or 6302165 or 6305440 or  
6325112 or 6336479 or 6338369 or 6347649 or  
6357493 or 6386246 or 6418981 or D457084 or  
5038838 or 5332008 or 5417256 or 5507325 or  
5860457 or 5985002 or 6622757 or 3016928 or  
4215565 or 5151111 ).pn.

## US Patent Documents

Note: Applicant is not required to submit a paper copy of cited US Patent Documents

init	Cite.No.	Patent No.	Date	Patentee	Kind	Class	Subclass
	1	RE35238	1996-05-14	POPE		141	59
	2	3735634	1973-05-29	CLINTON ET AL		73	64.2
	3	4147096	1979-04-03	CASWELL		98	122
	4	4166485	1979-09-04	WOKAS		141	52
	5	4508127	1985-04-02	THURSTON		137	8
	6	4543819	1985-10-01	CHIN ET AL		73	64.2
	7	4566504	1986-01-28	FURROW ET AL		141	59
	8	4570686	1986-02-18	DEVINE		141	286
	9	4611729	1986-09-16	GERSTENMAIER ET AL		222	75
	10	4653334	1987-03-31	CAPONE		73	863.81
	11	4687033	1987-08-18	FURROW ET AL		141	59
	12	4749009	1988-06-07	FAETH		141	45
	13	4827987	1989-05-09	FAETH		141	59
	14	4842027	1989-01-27	FAETH		141	45
	15	4871450	1989-10-03	GOODRICH ET AL		210	151
	16	4938251	1990-07-03	FURROW ET AL		137	269
	17	4967809	1990-11-06	FAETH		141	59
	18	4986445	1991-01-22	YOUNG ET AL		222	71
	19	5013434	1991-05-07	FURROW		210	232
	20	5027499	1991-07-02	PROHASKA		29	595
	21	5040077	1991-08-13	HAMANO		358	407
	22	5040576	1991-08-20	FAETH		141	45
	23	5040577	1991-08-20	POPE		141	59

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24	5116759	1992-05-26	KLAINER ET AL
25	5129433	1992-07-14	FAETH
26	5143258	1992-09-01	MITTERMAIER
27	5156199	1992-10-20	HARTSELL JR ET AL
28	5165379	1992-11-24	THOMPSON
29	5195564	1993-03-23	SPALDING
30	5203384	1993-04-20	HANSEN
31	5240045	1993-08-31	FAETH
32	5244022	1993-09-14	GIMBY
33	5267470	1993-12-07	COOK
34	5269353	1993-12-14	NANAJI ET AL
35	5323817	1994-06-28	SPALDING
36	5332011	1994-07-26	SPALDING
37	5333654	1994-08-02	FAETH
38	5333655	1994-08-02	BERGAMINI ET AL
39	5355915	1994-10-18	PAYNE
40	5365985	1994-11-22	TODD ET AL
41	5386812	1995-02-07	CURRAN ET AL
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44	5460054	1995-10-24	TRAN
45	5464466	1995-11-07	NANAJI ET AL
46	5500369	1996-03-19	KIPLINGER
47	5542458	1996-08-06	PAYNE ET AL
48	5563339	1996-10-08	COMPTON ET AL
49	5563341	1996-10-08	FENNER ET AL
50	5568828	1996-10-29	HARRIS
51	5571310	1996-11-05	NANAJI
52	5590697	1997-01-07	BENJAY ET AL
53	5592979	1997-01-14	PAYNE ET AL
54	5625156	1997-04-29	SERRELS ET AL
55	5626649	1997-05-06	NANAJI

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## Information Disclosure Statement

Page 4 of 6

56	5663492	1997-09-02	ALAPATI ET AL
57	5671785	1997-09-30	ANDERSSON
58	5720325	1998-02-24	GRANTHAM
59	5752411	1998-05-19	HARPSTER
60	5755854	1998-05-26	NANAJI
61	5780245	1998-07-14	MAROTEAUX
62	5782275	1998-07-21	HARTSELL JR ET AL
63	5794667	1998-08-18	PAYNE ET AL
64	5803136	1998-09-08	HARTSELL JR
65	5832967	1998-11-10	ANDERSSON
66	5843212	1998-12-01	NANAJI
67	5850857	1998-12-22	SIMPSON
68	5857500	1999-01-12	PAYNE ET AL
69	5868175	1999-02-09	DUFF ET AL
70	5878790	1999-03-09	JANSSEN
71	5889202	1999-03-30	ALAPATI ET AL
72	5898108	1999-04-27	MIECZOWSKI ET AL
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77	5956259	1999-09-21	HARTSELL JR ET AL
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79	5992395	1999-11-30	HARTSELL JR ET AL
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## Information Disclosure Statement

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89	6123118	2000-09-26	NANAJI	141	4
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91	6151955	2000-11-28	OSTROWSKI ET AL	73	40
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93	6167923	2001-01-02	HARTSELL JR	141	192
94	6167923	2001-01-02	HARTSELL JR	141	192
95	6169938	2001-01-02	HARTSELL JR	700	302
96	6223789	2001-05-01	KOCH	141	59
97	6244310	2001-06-12	ROWLAND ET AL	141	59
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101	6325112	2001-12-04	NANAJI	141	4
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103	6338369	2002-01-15	SHERMER ET AL	141	83
104	6347649	2002-02-19	POPE ET AL	141	59
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113	5860457	1999-01-19	ANDERSSON	141	59
114	5985002	1992-09-29	AIBEL		
115	6622757	2003-09-23	HART ET AL	141	7
116	3016928	1962-01-16	Brandt		
117	4215565	1980-08-05	ZANKER	73	30
118	5151111	1992-09-29	TEES ET AL	55	164

Signature



## Information Disclosure Statement

Page 6 of 6

Examiner Name	Date

Fee transmittal

Page 1 of 1

**FEE TRANSMITTAL**

Electronic Version v08

Stylesheet Version v08.0

<b>Title of Invention</b>	<b>FUELING SYSTEM VAPOR AND CONTAINMENT PERFORMANCE MONITOR AND METHOD OF OPERATION THEREOF</b>										
Application Number: 10/672496 *10/672496*											
Date: 2003-09-26											
First Named Applicant: ROBERT HART											
Attorney Docket Number: 2500-0168											
Art Unit: 3751											
Examiner: TIMOTHY MAUST											
<b>TOTAL FEE AUTHORIZED \$180</b>											
Patent fees are subject to annual revisions on or about October 1st of each year.											
<b>BASIC FILING FEE</b>											
<table border="1"><thead><tr><th>Fee Description</th><th>Fee Code</th><th>Amount \$</th><th>Fee Paid \$</th></tr></thead><tbody><tr><td>Submission Of Information Disclosure Stmt Fee</td><td>1806</td><td>180</td><td>180</td></tr></tbody></table>				Fee Description	Fee Code	Amount \$	Fee Paid \$	Submission Of Information Disclosure Stmt Fee	1806	180	180
Fee Description	Fee Code	Amount \$	Fee Paid \$								
Submission Of Information Disclosure Stmt Fee	1806	180	180								
<b>AUTHORIZED BILLING INFORMATION</b>											
The commissioner is hereby authorized to charge indicated fees and credit any overpayments to:											
Credit account number: 1002											
Expiration Date (YYYYMMDD): 2004-04-30											
Authorized name: Benjamin S. Withrow											
Billing address: 27512											

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Robert P. Hart

Serial No.: 10/672,496

Filed: 09/26/2003

For: **REFUELING SYSTEM VAPOR RECOVERY PERFORMANCE MONITOR AND  
METHOD OF OPERATION THEREOF**

Examiner: Maust, T.

Art Unit: 3751

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. 1.56, counsel wishes to make of record the attached additional items of information for the Examiner's consideration in connection with this application. These additional items of information were cited in a related U.S. application. Also enclosed is a form PTO-1449 for the Examiner's convenience in making such consideration of record. Inclusion herein of any particular item of information is not to be construed as an admission that same is prior art.

The fees associated with this Information Disclosure Statement have been paid via a related electronic IDS filing, which has been submitted on the same date indicated in the certificate of mailing below. The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account 50-1732.

Respectfully submitted,



Steven N. Terranova

Registration No. 43,185

Withrow &amp; Terranova, P.L.L.C.

Customer No. 27820

P.O. Box 1287

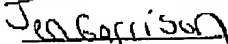
Cary, NC 27512

Tel: (919) 654-4520

Fax: (919) 654-4521

Date: June 2, 2004  
File No.: 2500-016B**CERTIFICATE OF MAILING**

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Name



Signature

6/2/04  
Date of Signature

Sheet 1 of 3

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DKT NO. 2500-016E		SERIAL NO. 10/672,496	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT Hart			
				FILING DATE 09/26/2003		GROUP 3751	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.	
<b>FOREIGN PATENT DOCUMENTS</b>							
	DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL.	TRANSLATION	
						YES	NO
	GB 231 16060	02/18/1998	UK			X	
	WO 00/50850	08/31/2000	PCT			X	
<b>OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)</b>							
	"Vapor Recovery Test Procedure TP-201.3 Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems at Dispensing Facilities", California Environmental Protection Agency Air Resources Board.						
	"Final Statement of Reasons for Rulemaking, Including Summary of Comments and Agency Response Public Hearing to Consider the Adoption, Amendment and Repeal of Regulations Regarding Certification Procedures and Test Procedures for Gasoline Vapor Recovery Systems", California Environmental Protection Agency Air Resources Board, Public Hearing Dates: Mar. 23, 2000, Agenda Item No.: 00-3-2.						
	"ORVR Update Key Questions Remain on ORVR and Stage II Effectiveness of Refueling Vapor Recovery Still Up In The Air", Joe Totten, Petroleum Equipment & Technology Magazine, Apr. 1999.						
	"CARB Needs to Modify Plan for Improving Vapor Recovery Program", Wolf H. Koch, PhD, Petroleum Equipment & Technology Magazine, Aug. 1999.						
	"Unbalanced Treatment of Assist Vapor Recovery Systems", Wolf H. Koch, PhD, Petroleum Equipment & Technology Magazine, Nov. 1999.						
	"What Does Field Testing Show for Assist Vapor Recovery Systems?", Wolf H. Koch, PhD, & W. Dwain Simpson, PhD, Petroleum Equipment & Technology, Published: Oct. 1999.						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

(Form PTO-1449)

Sheet 2 of 3

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DKT NO.		SERIAL NO.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT			
				FILING DATE		GROUP	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL.	TRANSLATION
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<b>OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)</b>							
		"Membranes, Molecules and the Science of Permeation," Tedmund P. Tiberi, Petroleum Equipment & Technology, Published: Apr. 1999.					
		"Retooling the Vapor Recovery System--Part 3: Reactions by Equipment Makers: Some Fugitive Emissions Remain at Large," Tedmund P. Tiberi, Petroleum Equipment & Technology, Published: Aug. 2000.					
		"Retooling the Vapor Recovery System--Part 3: Reactions by Equipment Makers: VST's membrane technology development," Glenn K. Walker, Petroleum Equipment & Technology, Published: Aug. 2000.					
		"Retooling the Vapor Recovery System--Part 3: Reactions by Equipment Makers: Hirt systems design changes," Robert D. Bradt, PhD, PE, Petroleum Equipment & Technology, Published: Aug. 2000.					
		"DRAFT Performance Standards for In-Station Diagnostics (to be incorporated into CP-201)," California Air Resources Board, Revised Aug. 23, 1999.					
		"Part 2: Will New Rules Evade Old Concerns?," Wolf H. Koch, PhD, Petroleum Equipment & Technology Magazine, Published: Jul. 2000.					
		"Vapor Recovery Around the World," Tedmund P. Tiberi, Petroleum Equipment & Technology, Published: Sep. 2000.					
		"Vapor Recovery Certification Procedure CP-201 Certification Procedures for Vapor Recovery Systems at Gasoline Dispensing Facilities," California Environmental Protection Agency Air Resources Board.					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Sheet 3 of 3

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DKT NO.		SERIAL NO.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICANT			
				FILING DATE		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL.	TRANSLATION
							YES NO
OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)							
		"Vapor Recovery Test Procedure TP-201.5 Air to Liquid Volume Ratio," California Environmental Protection Agency Air Resources Board.					
		"Notice of Public Hearing to Consider Amendments to the Vapor Recovery Certification and Test Procedure Regulations for Enhanced Vapor Recovery," Title 17. California Air Resources Board.					
		"Hearing Notice and Staff Report Enhanced Vapor Recovery Initial Statement of Reasons for Proposed Amendments to the Vapor Recovery Certification and Test Procedures for Gasoline Loading and Motor Vehicle Gasoline Refueling at Service Stations," Feb. 4, 2000, California Environmental Protection Agency Air Resources Board.					
		"Gasoline Vapor Recovery Systems Test Methods Existing Procedures," California Air Resources Board.					
		"Vapor Recovery Certification and Test Procedure Regulations for Enhanced Vapor Recovery Documents," California Air Resources Board.					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

(Form PTO-1449)